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EXAMINER	
AU, SCOTT D	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/942,846	Applicant(s) TANAKA, SHINICHI	
	Examiner Scott Au	Art Unit 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 May 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to applicant's response to an Amendment A, which is filed May 18, 2004.

An amendment A to the claims 1-15 have been entered and made of record in the Application of Tanaka for a "Security system" filed August 31, 2001.

Claims 1-15 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1,3,5,7,10-11 and 13 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Referring to claim 1, nowhere in the specification describe the limitation that "immediately" lock a door upon the detection of the door closing. This limitation contains new subject matter.

Referring to claims 3,5,7,10-11 and 13 contain new subject as stated similar to claim 1 above. Therefore, claims 3,5,7,10-11 and 13 are rejected for similar reason as stated in claim 1.

Response to Arguments

Applicant's amendments and argument to the rejected claims are insufficient to distinguish the claimed invention from the cited prior arts to overcome the rejection of said claims under 35 U.S.C 102(a) and 35 U.S.C 103(a) as discussed below. Applicant's amendment and argument with respected to the pending claims 1-15, filed on May 18, 2004, have been fully considered but they are not persuasive for at least the following reasons.

On page 13, first paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation "a locking controller operable to make an unlocked locking mechanism to be locked state, when the door is opened after the door is unlocked by the unlocking controller, and then the closing of the opened door is detected by the closing detector" according to claim 1, is not persuasive.

Kulha et al. disclose a locking controller operable to make an unlocked locking mechanism to be locked state (i.e. see col. 7 lines 19-21 and col. 8 lines 9-11), when the door is opened (i.e. see col. 6 lines 45-50) after the door is unlocked by the

unlocking controller (i.e. see col. 6 lines 36-40), and then the closing of the opened door is detected by the closing detector (i.e. see col. 7 lines 13-16).

On page 15, first paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. did not initiate a locking procedure, is not persuasive.

Kulha et al. disclose locking routine for the hands-free remote entry system 10, is shown. The routine first determines at block 118 whether the vehicle transceiver 12 senses a door opening from a door jam switch, via vehicle inputs 18. If so, this causes the locking routine to begin at start block 120. Upon initiating the locking routine, the routine passes through decision blocks 122, 124 and 126. Decision block 122 determines whether the vehicle ignition has been turned off, decision block 124 determines whether the driver door has been closed and decision block 126 determines whether the occupants have left the vehicle 50, via the interior sensor 32. This portion of the routine prevents the locking of the vehicle 50 through passive means if the occupants have not exited the vehicle 50. If all of the conditions for blocks 122-126 have been met, the routine progresses to block 128 which initializes the send door lock and lock door registers (col. 7 lines 5-21).

On page 15, third paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. does not function so as to "immediately" lock a door upon the detection of the door closing, is not persuasive.

Nowhere in the specification describe the limitation that "immediately" lock a door upon the detection of the door closing. This limitation contains new subject matter. Therefore, the argument is not persuasive.

On page 16, first paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation of "a first locking controller operable to make locking mechanism to closed doors be in the locked state, when the opening of the door is detected by the opening detector after the doors are unlocked by the unlocking controller" according to claim 2, is not persuasive.

Applicant's arguments are narrower than what is actually claimed in claim 2. Nowhere do the claims limit the inventions is able to lock the closed doors upon the opening of the one door. The claims only call for a first locking controller operable to make locking mechanism to closed doors be in the locked state, when the opening of the door is detected by the opening detector after the doors are unlocked by the unlocking controller. Kulha et al. suggest the above limitation (i.e. see col. 6 line 36 to col. 7 line 38; see Figure 8A, 8B and 9A).

On page 17, first paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation "of a second locking controller operable to make the locking mechanism to the door, the closing of which is detected, be in the locked state, when the door is opened after the doors are unlocked

by the unlocking controller, and then the closing of the opened door is detected by the closing detector" according to claim 3, is not persuasive.

Kulha et.al. disclose of a second locking controller operable to make the locking mechanism to the door (i.e. see col. 7 lines 19-21 and col. 8 lines 9-11, the first and second locking controller operable to the driver door 51 and passenger door 53), the closing of which is detected (i.e. see col. 7 lines 13-16), be in the locked state, when the door is opened after the doors are unlocked by the unlocking controller (i.e. see col. 7 lines 7-9), and then the closing of the opened door is detected by the closing detector (i.e. see col. 7 lines 13-16).

On page 17, fourth paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation "of a locking controller operable to make the unlocked locking mechanism or mechanisms be in the locked state, when the opening of the door is detected by the opening detector after the door or doors are unlocked by the unlocking controller" according to claim 4, is persuasive. Therefore the examiner has withdrawn the rejections.

On page 18, third paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation "of a locking controller operable to immediately make the locking mechanism to a prescribed door be in the locked state, when the prescribed door is opened after being unlocked by the unlocking controller, and then the closing of the opened prescribed door is detected by

the closing detector" according to claim 5, is not persuasive for similar reasons based on the above of claim 1 argument.

On page 19, second paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation "of a locking controller operable to make the unlocked locking mechanism or mechanisms be in the locked state, when the opening of the door is detected by the opening detector after the door or doors are unlocked by the unlocking controller" according to claim 6, is persuasive. Therefore the examiner has withdrawn the rejections.

On page 19, fifth paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation "of a first locking controller operable to make the locking mechanism to the door, the closing of which is detected, be in the locked state, when the door is opened after the doors are unlocked by the unlocking controller, and then the closing of the opened door is detected by the closing detector" according to claim 7, is not persuasive.

Kulha et al. disclose of a first locking controller operable to make the locking mechanism to the door (i.e. see col. 7 lines 19-21 and col. 8 lines 9-11), the closing of which is detected (i.e. see col. 7 lines 13-16), be in the locked state, when the door is opened after the doors are unlocked by the unlocking controller (i.e. see col. 7 lines 7-9), and then the closing of the opened door is detected by the closing detector (i.e. see col. 7 lines 13-16).

On page 20, third paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation "of a second locking controller operable to make the locking mechanism to the door, the closing of which is detected, be in the locked state, when the door is opened after the doors are unlocked by the unlocking controller, and then the closing of the opened door is detected by the closing detector" according to claim 9, is not persuasive for similar reasons based on the above of claim 3 argument.

On page 21, second paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation "of a first locking controller operable to make the locking mechanism to the door, the opening of which is detected, be in the locked state, when the opening of the door is detected by the opening" according to claim 8, is persuasive. Therefore, the examiner has withdrawn the rejections.

On page 22, third paragraph, Applicant's argument with respect to the invention of Kulha et al. that Kulha et al. fail to disclose or suggest the limitation "of a locking controller operable to immediately make an unlocked locking mechanisms be in the locked state, when the closing of the door is detected by the closing detector after the receiver receives the prescribed remote control signal or the capturing mechanism captures the emergency signal" according to claim 11, is not persuasive.

Kulha et al. disclose a locking controller operable to make an unlocked locking mechanisms be in the locked state (i.e. see col. 8 lines 9-11), when the closing of the door is detected by the closing detector after the receiver receives the prescribed remote control signal (i.e. see col. 7 lines12-15) or the capturing mechanism captures the emergency signal (i.e. see Figure 9A).

On page 23, fifth paragraph, Applicant's argument with respect to the invention of Drori of claim 12 is patentable at least by virtue of its dependency, is not persuasive.

Referring to claim 1, is still rejected in view of Kulha et al.

On page 24, fifth paragraph, Applicant's argument with respect to the invention of Kulha et al. in view of Drori that Drori fails to cure the deficiencies of Kulha et al. according to claim 13, is not persuasive.

Referring to claim 13, Kulha et al. in view of Drori disclose a security system in claims 1 and 12, claim 13 equivalent to that the combine of claims 1 and 12 addressed above, incorporated herein. Therefore, claim 13 is rejected for the same reasons given with respect to claims 1 and 12 combined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 7-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kulha et al. (US# 5,973,611).

Referring to claims 1,5,7 and 11, Kulha et al. disclose a security system, which is introduced into a vehicle or a building having one or more doors, comprising:
a receiver operable (28) (i.e. a receiver and see step 86) to receive a prescribed remote control signal (i.e. ID signal) and/or a capturing mechanisms to capture an emergency signal (col. 3 lines 34-39 and col. 5 lines 60-63; see Figure 8A);
an unlocking controller operable (i.e. steps 94 and 100) to make a locking mechanism or locking mechanisms to one or more doors be in the unlocked state, when the receiver (28) (i.e. a receiver and step 86) receives the prescribed remote control signal (i.e. ID signal) or the capturing mechanism captures the emergency signal (col. 5 lines 60-63; see Figure 8A);
a closing detector operable (18) (i.e. see step 124) to detect the closing of a door (col. 6 lines 1-18 and col. 7 lines 10-15; see Figures 1 and 8A); and

"a locking controller operable to make the unlocked locking mechanism or mechanisms be in the locked state, when the door is opened after the door or doors are unlocked by the unlocking controller, and then the closing of the opened door is detected by the closing detector".

Examiner interprets and treats the claim in the following manner.

(A.) Door or doors are unlocked by the unlocking controller (see steps 94 and 100 of Figure 8A).

(B.) Closing detector detecting closing of the opened door (see step 124 of Figure 9A).

(C.) Locking controller operable to make the unlocked locking mechanism or mechanisms be in the locked state (see steps 134-136 of Figure 9A) (col. 6 line 36 to col. 7 line 38).

Referring to claim 2, Kulha et al. disclose a security system, which is introduced into a vehicle or a building having at least two or more doors, comprising:

a receiver operable (28) (i.e. a receiver and see step 86) to receive a prescribed remote control signal (i.e. ID signal) and/or a capturing mechanism operable to capture an emergency signal (col. 3 lines 34-39 and col. 5 lines 60-63; see Figure 8A);
an unlocking controller operable (i.e. steps 94 and 100) to make locking mechanisms to at least two or more doors be in the unlocked state, when the receiver(28) (i.e. a receiver and step 86) receives the prescribed remote control signal (i.e. ID signal) or

the capturing mechanism captures the emergency signal (col. 5 lines 60-63; see Figure 8A);

an opening detector operable (i.e. step 118) to detect the opening of a door; and

"a locking controller operable to make the locking mechanism to the closed doors be in the locked state, when the opening of the door is detected by the opening detector after the doors are unlocked by the unlocking controller."

Examiner interprets and treats the claim in the following manner.

(A.) Doors are unlocked by the unlocking controller (i.e. steps 94 and 100).

(B.) Opening detector detecting opening of the door (i.e. step 118).

(C.) Locking controller operable to make the locking mechanism to the closed doors in the locked state (i.e. steps 134-136) (col. 6 line 36 to col. 7 line 38; see Figures 8A, 8B and 9A).

Referring to claim 3, Kulha et al. disclose a security system according to claim 2, comprising:

a closing detector operable to detect the closing of a door (i.e. step 124); and

a second locking controller operable to make the locking mechanism to the door, the closing of which is detected, be in the locked state, when the door is opened after the doors are unlocked by the unlocking controller, and then the closing of the opened door is detected by the closing detecting detector.

Examiner interprets and treats the claim in the following manner.

(A.) Doors are unlocked by the unlocking controller (i.e. steps 94 and 100).

(B.) Door is opened (i.e. step 118).

(C.) Closing detector operable to detect the closing of the opened door (i.e. step 124)

(D.) Locking controller operable to make the locking mechanism to the door the closing of which is detected be in the locked state (i.e. steps 134-136) (col. 6 line 36 to col. 7 line 38; see Figures 8A, 8B and 9A).

Referring to claim 8, Kulha et al. disclose a security system, to the extent as claimed with respect to claim 2 above. Kulha et al. disclose wherein the locking mechanisms are self-locking mechanisms (col. 6 lines 36-50).

Referring to claim 10, Kulha et al. disclose a security system according to claim 8, comprising:

a closing detector operable to detect the closing of a prescribed door (see step 124 of Figure 9A); and

"a second locking controller operable to make the locking mechanisms to the closed doors be in the locked state, when the prescribed door is opened after the doors are unlocked by the unlocking controller, and then the closing of the opened prescribed door is detected by the closing detector."

Examiner interprets and treats the claim in the following manner.

(A.) Door or doors are unlocked by the unlocking controller (see steps 94 and 100 of Figure 8A).

(B.) Closing detector detected closing of the opened door (see step 124 of Figure 9A).

(C.) Second locking controller to make the unlocked locking mechanisms to the closed doors in the locked state (see steps 134-136 of Figure 9A) (col. 6 line 36 to col. 7 line 38).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kulha et al. (US# 5,973,611) in view of Shibata et al. (US# 4,897,643).

Referring to claims 4 and 6, Kulha et al. disclose a security system, to the extent as claimed with respect to claim 1 above, and the system further comprising:
an opening detector operable (i.e. step 108) to detect the opening of a door and wherein the locking mechanism or mechanisms are self-locking mechanisms (col. 6 lines 36-50).

However, Kulha et al. did not explicitly disclose an opening detector operable to detect the opening of a door; and a locking controller operable to make the unlocked locking mechanism or mechanism be in the locked state, when the opening of the door is detected by the opening detector after the door or doors are unlocked by the unlocking controller.

In the same field of endeavor of vehicle locking system, Shibata et al. disclose an opening detector (32) (i.e. CPU) operable to detect the opening of a door; and a locking controller operable to make the unlocked locking mechanism or mechanism be in the locked state, when the opening of the door is detected by the opening detector after the door or doors are unlocked by the unlocking controller (col. 7 line 66 to col. 8 line 9) in order to detect the vehicle locking system.

One of ordinary skill in the art understands that locking the opened doors o Shibata et al. is desirable in the hand-free remote entry system of Kulha et al. because Kulha et al. suggest the doors are closed and locked (col. 7 line 1 to col. 8 line 11) and Shibata et al. teach doors are locked while the doors are in an open position (col. 8 lines 1-9). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include an opening detector operable to detect the opening of a door; and a locking controller operable to make the unlocked locking mechanism or mechanism be in the locked state, when the opening of the door is detected by the opening detector after the door or doors are unlocked by the unlocking controller of Shibata et al. in the hand-free remote entry system of Kulha et al. with the

motivation for doing so would allow the door lock to have the option of locking the doors when the doors are opened.

Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kulha et al. (US# 5,973,611) as applied to claim 1 above, and further in view of Drori (US# 5,157,375).

Referring to claim 12, Kulha et al. disclose a security system of claim 1. However, Kulha et al. did not explicitly disclose an actuation controller operable to actuate prescribed functions when the receiver receives the prescribed remote control signal or the capturing mechanism captures the emergency signal;
wherein the prescribed functions include at least one among a window closing function, an engine starting function, a call function to an emergency organization, an alarm sound generating function, a hazard warning signal flasher flashing function, and a lighting/flashing function of prescribed lamps.

In the same field of endeavor of multi-featured electronic vehicle security system, Drori teaches an actuation controller operable (70) (i.e. a controller) to actuate prescribed functions when the receiver (65) (i.e. a receiver) receives the prescribed remote control signal or the capturing means captures the emergency signal;
wherein the prescribed functions include at least one among a window closing function, an engine starting function, a call function to an emergency organization, an alarm sound generating function, a hazard warning signal flasher flashing function, and a

lighting/flashing function of prescribed lamps (col. 4 line 19 to col. 5 line 7; see Figure 1) in order to secure the vehicle when a controller (70) received signal through receiver (65) to control the elements of (90).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time of invention was made to include a first actuation controller operable to actuate prescribed functions when the receiver receives the prescribed remote control signal or the capturing mechanism captures the emergency signal;
wherein the prescribed functions include at least one among a window closing function, an engine starting function, a call function to an emergency organization, an alarm sound generating function, a hazard warning signal flasher flashing function, and a lighting/flashing function of prescribed lamps of system disclosed by Drori into system of Kulha et al. with the motivation for doing so would allow the vehicle system is secured when a control means received a secured signal.

Referring to claim 14, Kulha et al. in view of Drori disclose a security system according to claim 12, Drori discloses wherein the prescribed lamps include at least one among a head lamp, a tail lamp, a front fog lamp, a rear fog lamp, a dome lamp, and a map lamp (col. 5 lines 1-7; see Figure 1).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kulha et al. (US# 5,973,611) in view of Drori (US# 5,157,375).

Referring to claim 13, Kulha et al. in view of Drori disclose a security system in claims 1 and 12, claim 13 equivalent to that the combine of claims 1 and 12 addressed above, incorporated herein. Therefore, claim 13 is rejected for the same reasons given with respect to claims 1 and 12 combined.

Referring to claim 15, Kulha et al. in view of Drori disclose a security system in claim 13, claim 15 is equivalent to that of claim 14 addressed above, incorporated herein. Therefore, claim 15 is rejected for same reasons given with respected to claim 14.

Conclusion

Any inquiry concerning this communication or earlier communications form the examiner should be directed to Scott Au whose telephone number is (703) 305-4680. The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached at (703) 305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Scott Au

SA

BRIAN ZIMMERMAN
PRIMARY EXAMINER